

REMARKS

I. INTRODUCTION

Claim 17 has been added. Claims 2-17 are now pending. Claims 2, 4, 6, 8 and 10-16 have been amended. No new matter has been added. Support for new claim 17, and the amendments to claims 2, 4, 6, 8 and 10-16 can be found, at the least, in the original claims. Reconsideration of the present application is requested.

II. REJECTION OF CLAIMS 4-16 UNDER 35 U.S.C. § 103

Claims 4-16 stand rejected under 35 U.S.C. § 103 as being obvious over US 2002/0046048 to Steele et al. (the "Steele application"). In connection with this rejection, however, the Examiner addresses claims 1-4 and 6-16. Applicants note that claim 1 was canceled in Applicants' Amendment dated December 15, 2003. Applicants further note that the Examiner does not address independent claim 5 at all. Thus, the Examiner should clarify the rejection.

Notwithstanding the foregoing, Applicants provides the following remarks regarding the Steele application.

Claims 5, 9 and 17 recite, inter alia, the following:

the processor includes an element for displaying directories located in the storage device and in which the multimedia data files are contained, as different data carriers

All of the remaining claims depend from claim 17. It is respectfully submitted that the Steele application does not teach or suggest at least the above claim features.

As regards "displaying directories located in the storage device located in the storage device and in which the multimedia data files are contained," the Examiner apparently relies of the channel category/subcategories describes in the Steele application. Respectfully, according to the Steele application, a user may access audio and information channel availability by browsing through them in a hierarchical tree. The root of the tree contains major categories of channels, e.g., music, talk, TV audio, etc.. Under each major category are subcategories, e.g., blues, classical, country, dance, etc. Finally, under each subcategory are the channels, e.g., WNEW, KSLX, SOLD, KROK, etc. The user can then select the channel to which she/he would like to listen by selecting a channel. Respectfully, these tree levels are not "**located in the storage device**" (the storage device being the storage device upon which the multimedia data is stored. Each level of the tree in the Steele application describes a category or subcategory of channels, but is not "located in

the storage device" as recited in the claims. Also, the tree levels are not **"in which the multimedia data files** [i.e., which are stored on the storage device] **are contained,"** as recited in the claims.

In one example embodiment of the present invention, the directories are file directories (e.g., like folders) on, for example, a CD ROM. Each of the directories may include multimedia data files or other file directories (e.g., sub-folders).

Also, as indicated above, the claims require that the directories be displayed **"as different data carriers."** The Examiner apparently believes that this feature is obvious. The Examiner has not cited any references that disclose this feature; the Examiner merely makes assertions that this feature is a "common characteristic of all audio devices with a display." Applicants respectfully submit that this feature is not a common characteristic, and is not obvious. In accordance with an embodiment of present invention, individual directories of, e.g., a CD ROM, are interpreted and displayed as different data carriers, e.g., CD 1, CD 2, CD 3, etc. In one embodiment, if a user selects, e.g., CD 2, the user can then either select an individual title from CD2, or, if the user fails to select a particular title, the first title of CD 2 is displayed and then played back. Subsequent titles can then be automatically played back. In this way, each of the directories, e.g., CD 1, CD 2, CD 3, etc. can be treated as an individual play list. In any event, if the Examiner maintains this rejection, the Examiner should cite a reference disclosing or suggesting the above feature of the claims. If the rejection is based on facts within the Examiner's personal knowledge, the Examiner is requested to provide Applicants with an affidavit supporting such facts.

It is respectfully submitted that the Steele application does not render any of the pending claims obvious. Withdrawal of the rejection based on the Steele application is requested.

III. CONCLUSION

Each of the issues raised by the Examiner has been addressed. It is respectfully submitted that the present application is in condition for allowance. Passage to issuance is requested.

Respectfully submitted,

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